

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN L. LOREDO,

Defendant.

ORDER

10-cr-16-bbc

12-cv-291-bbc

Defendant Juan L. Loredo filed a timely motion for post conviction relief under 28 U.S.C. § 2255, but it was unclear from the allegations in his motion whether he had any claim. In an order entered on April 30, 2012, I gave him an opportunity to explain why he believed that his court appointed counsel had given him constitutionally ineffective advice. In response, defendant has submitted an affidavit in which he avers that his counsel “intimated” that defendant would be deported unless he exercised his right to trial. Defendant avers that this advice caused him to turn down a plea bargain in which the government would recommend a five year term of incarceration subject to defendant’s deportation upon completion of the sentence.

The government may have until August 15, 2012 in which to respond to defendant’s motion as supplemented by his affidavit; defendant may have until August 30, 2012 in

which to file a reply.

Entered this 1st day of August, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB